



House of Representatives

General Assembly

File No. 106

January Session, 2005

House Bill No. 6788

House of Representatives, March 30, 2005

The Committee on Human Services reported through REP. VILLANO of the 91st Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING INVESTIGATIONS OF ABUSE AND NEGLECT BY THE DEPARTMENT OF CHILDREN AND FAMILIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 17a-101g of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (a) Upon receiving a report of child abuse or neglect, as provided in
5 sections 17a-101a to 17a-101c, inclusive, or section 17a-103, in which
6 the alleged perpetrator is (1) a person responsible for such child's
7 health, welfare or care, (2) a person given access to such child by such
8 responsible person, or (3) a person entrusted with the care of a child,
9 the Commissioner of Children and Families, or the commissioner's
10 designee, shall cause the report to be classified and evaluated
11 immediately. If the report contains sufficient information to warrant an
12 investigation, the commissioner shall make the commissioner's best
13 efforts to commence an investigation of a report concerning an

14 imminent risk of physical harm to a child or other emergency within
15 two hours of receipt of the report and shall commence an investigation
16 of all other reports within seventy-two hours of receipt of the report.
17 The department shall complete any such investigation [within thirty]
18 not later than forty-five calendar days after the date of receipt of the
19 report. If the report is a report of child abuse or neglect in which the
20 alleged perpetrator is not a person specified in subdivision (1), (2) or
21 (3) of this subsection, the Commissioner of Children and Families shall
22 refer the report to the appropriate local law enforcement authority for
23 the town in which the child resides or in which the alleged abuse or
24 neglect occurred.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2005	17a-101g(a)
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HS

Joint Favorable

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Children & Families, Dept.	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

Increasing the time in which the Department of Children and Families (DCF) must complete an investigation of an accepted child abuse or neglect report will result in no fiscal impact. The agency met the forty-five day standard in 91.7 percent of cases during the fourth quarter of 2004, an increase of 27.5 percentage points from the first quarter of the same year. The agency's anticipated staffing levels will be sufficient to allow for further growth in the percentage of cases with timely completion. (For comparison purposes, 28.2 percent of investigations were completed within thirty days during January 2005.)

OLR Bill Analysis

HB 6788

**AN ACT CONCERNING INVESTIGATIONS OF ABUSE AND
NEGLECT BY THE DEPARTMENT OF CHILDREN AND FAMILIES****SUMMARY:**

This bill increases from 30 to 45 calendar days the time the Department of Children and Families (DCF) has to complete child abuse and neglect investigations. By law, when the DCF commissioner receives a report of alleged abuse or neglect that contains sufficient information to begin an investigation, she must start the investigation within 72 hours (two hours when the child is at imminent risk of physical harm or some other emergency). The time clock starts when the commissioner receives the report.

The *Juan F. Exit Plan*, a court-ordered plan for DSS to move out from under a 1991 consent decree, includes an outcome measure requiring at least 85% of all investigations of reports the DCF Hotline receives of alleged maltreatment to be completed within 45 days from when the Hotline accepts the report.

EFFECTIVE DATE October 1, 2005

BACKGROUND***Juan F.***

The 1991 *Juan F.* consent decree resulted from a class action lawsuit that challenged the Department of Children and Youth Services' (DCYS, now DCF) management, policies, practices, operation, funding, and protocols concerning abused and neglected children in its custody and those who might come into its custody. In 1991, the state reached an agreement with the plaintiff (Juan F.) and entered into a consent decree. The decree established staffing ratios and a number of policy manuals the department had to follow, and authorized the court to appoint someone to monitor the agency's success in complying with the decree.

In 2002, the court approved an exit plan, which set performance and

outcome measures DCF had to achieve. In 2003, the plaintiffs returned to court arguing that DCF had failed to comply with the exit plan's terms. If DCF meets all the prescribed outcome measures, the exit plan will terminate in November 2006.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Report

Yea 16 Nay 0